

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rahal
Serial No.: 09/935,966
Filed: August 23, 2001
For: Methods for Preventing or Treating West Nile Virus and Other Infections
Customer No.:

Examiner: Winkler, Ulrike
Group Art Unit: 1648

23719

PATENT TRADEMARK OFFICE

Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022

September 30, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

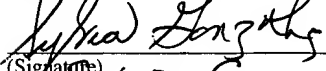
NOTICE OF APPEAL

SIR:

Applicant by his attorneys hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated June 1, 2004 finally rejecting claims 5-9 and 17-24, inclusive, of the application identified above. A one-month extension of time is enclosed. Pursuant to a petition for an extension of time submitted with this notice, the time set to file an Appeal Brief will be set when this notice is received at the United States Patent Office.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


(Signature)
Sylvia Gonzalez
(Printed Name of Person Signing Certificate)
September 30-2004
(Date)

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A check is enclosed in the amount of \$165.00 for the required official fee. Please charge any deficiency in the payment submitted for at the required fee, or credit any overpayment, to Deposit Account No. 11-0171.

Respectfully submitted,



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